



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 3/16/05

Signature: *John Blundell*

(John Blundell)

Docket No.: CIBT-P01-104  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Henryk Dudek

Application No.: 09/977864

Confirmation No.: 3719

Filed: October 15, 2001

Art Unit: 3731

For: HEDGEHOG ANTAGONISTS, METHODS  
AND USES RELATED THERETO

Examiner: Not Yet Assigned

**REPLY TO NOTICE UNDER 37 CFR 1.251 - PENDING APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice Under 37 CFR 1.251 mailed December 17, 2004, Notice states that References coded as AC, AD, AE, and AF on form PTO/SB/08 dated 12/16/02 could not be located after a reasonable search.

Applicant respectfully submits the following papers:

1. Copy of Notice dated December 17, 2004;
2. Statement enclosed with Notice Under 37 CFR 1.251;
3. Copy of Form PTO/SB/08 dated 12/16/02 (attached as Exhibit 1);
4. Reference AC (U.S. Application No. 09/663,835, filed 9/15/00) is now a granted U.S. Patent No. 6545005, April 8, 2003;
5. Reference AD - U.S. Application No. 09/685,244, filed 10/10/00 (attached as Exhibit 2);
6. Reference AE - U.S. Application No. 09/687,800, filed 10/13/00 (attached as Exhibit 3); and

7. Reference AF (U.S. Patent Application No. 09/688,018, filed 10/13/00) is now a granted U.S. Patent No. 6552016, April 22, 2003.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. CIBT-P01-104 from which the undersigned is authorized to draw.

Dated: 3/16/05

Respectfully submitted,

By 

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,864	10/15/2001	Henryk Dudek	CIBT-P01-104	3719
28120	7590	12/17/2004	EXAMINER	
ROPE & GRAY LLP ONE INTERNATIONAL PLACE BOSTON, MA 02110-2624			ART UNIT	PAPER NUMBER

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Ropes & Gray**

**Symbol #:** CIBT-P01-104

**Action Due:** Resp to Notice Under 37CFR 1.251

**Deadline(s):** 17 Jan 2005 / 17 Mar 2005 - Final  
17 Jun 2005 - Final w/ext

**Ropes & Gray**

**DEC 20 2004**

**Intellectual Property Dept.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

References coded as AC, AD, AE and AF on form PTO/SB/08 dated 12-16-2002

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

**Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).**

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

James Murphy

(703) 305-6890

In re Application of: Henryk Dudek  
Application No.: 09/977864  
Filing Date: October 15, 2001  
Title: Hedgehog Antagonists, Methods and Uses Related Thereto

Direct to: Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### NOTICE UNDER 37 CFR 1.251 – Pending Application

**Statement (check the appropriate box):**

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

3/16/05  
Date

  
Signature

Melissa S. Rones  
Typed or printed name

### A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.